

In the High Court of Judicature at Madras

Dated : 15.07.2016

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.355 of 2016

M/s.Sobha Limited
(formerly known as Sobha Developers
Limited), Rep. by its Regional
Director, Mr.T.P.Sanjaya Sarathy. .. Petitioner

-VS-

1.C.Ravishankar
2.R.Suganya Devi .. Respondents

Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996, to appoint the second member to the arbitral tribunal already comprising of the Petitioner's nominee, viz., Hon'ble Mrs.Justice Prabha Sridevan, as per Clause 19 of the JDA and direct the respondent to deposit a sum of Rs.5,00,000/- to the Arbitral Tribunal towards the proceedings of the Arbitral Tribunal.

For Petitioner : Mr.Satish Parasaran, Sr.Counsel
for Mr.Suraj Govindaraj

For Respondents : Mr.S.Vijayakumar

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O R D E R

Heard the learned counsel for parties.

2.The following agreed order is passed:

- i. The respondent has no objection to Justice Prabha Sridevan, a retired Judge of this Court, being nominated by the petitioner as its nominee arbitrator, despite her son having advised the petitioner concern in some other matter, provided he is permitted to nominate his nominee arbitrator. This is acceptable to the petitioner.
- ii. Justice M.Thanickachalam, a retired Judge of this Court, is nominated by the respondents as their nominee arbitrator;
- iii. The two Arbitrators will elect the Presiding Arbitrator;
- iv. In view of the earlier Arbitrator having resigned, who was paid full fee by the petitioner, but the respondent had paid only part fee, learned counsel for the respondent states that the balance part fee will be paid to the earlier Arbitrator within one (1) month from today.

3. At request of the learned counsel for the petitioner, one week's time is granted to file the cost memo.

4. Original Petition, accordingly, stands disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
15.07.2016

sra

The Hon'ble Chief Justice

(sra)

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